

# STATEMENT OF SCOPE

## Department of Commerce

Rule No. : Chapters Comm 16 and 2

Relating to Electrical Construction and Inspection  
:

### 1. Description of the objective of the rule.

The objective of the rule is to update chapter Comm 16 – Electrical Code, including the adoption by reference of the 2005 National Electrical Code (NEC) published by the National Fire Protection Association (NFPA) as NFPA standard No. 70. The rule may also address administration issues related to fees for electrical inspection.

### 2. Description of existing policies relevant to the rule and of new policies proposed to be included in the rule and an analysis of policy alternatives.

The state electrical code has adopted the NEC by reference since 1972. Currently, the 2002 edition of the NEC is adopted in chapter Comm 16. This rule project will update the state code to the 2005 edition of the NEC, while evaluating the electrical requirements in chapter Comm 16 that add to and modify the requirements in the NEC. This rule project will also review the electrical inspection requirements in chapter Comm 16.

The alternative of not updating chapter Comm 16 would result in the state electrical code not being up-to-date with current nationally recognized standards for the design, installation and operation of electrical conductors and equipment in all buildings and structures.

### 3. Statutory authority for the rule.

The statutory authority for chapter Comm 16 is contained in sections 101.63 (1), 101.73 (1), 101.82 (1) and 101.865, Stats. The statutory authority for electrical inspection fees is contained in section 101.82 (3m) and (4), Stats.

### 4. Estimate of the amount of time that state employees will spend to develop the rule and of other resources necessary to develop the rule.

The department estimates that it will take approximately 400 hours to develop this rule. This time includes re-forming and meeting with an advisory council, then drafting the rule and processing the rule through public hearings, legislative review and adoption. The department will assign existing staff to develop the rule. There are no other resources necessary to develop the rule.

### 5. Description of all of the entities that will be affected by the rule.



The rule will affect any building or structure in which the installation of electrical wiring will be undertaken. The rule will also affect any designer, installer or inspector of electrical wiring.

**6. Summary and preliminary comparison of any existing or proposed federal regulation that is intended to address the activities to be regulated by the rule.**

There are several existing federal regulations that relate to the installation of electrical wiring and equipment. Some of these regulations require compliance with various editions of the National Electrical Code (NEC). An Internet-based search of the *Code of Federal Regulations* (CFR) found the following existing federal regulations relating to the activities to be regulated by the rule.

Title 7 CFR Part 1755 – Telecommunications Standards and Specifications for Materials, Equipment and Construction. This regulation in the Department of Agriculture applies to telecommunication wiring and equipment, and requires compliance with the 1993 NEC.

Title 24 CFR Part 3280 – Manufactured Home Construction and Safety Standards. This regulation in the Department of Housing and Urban Development covers electrical systems in manufactured homes, and requires compliance with the 1993 NEC.

Title 29 CFR Part 1910 – Occupational Safety and Health Standards. Subpart S of this regulation in the Department of Labor contains detailed electrical safety requirements that are necessary for the practical safeguarding of employees in their workplaces.

Title 29 CFR Part 1926 – Safety and Health Regulations for Construction. Subpart K of this regulation in the Department of Labor contains detailed electrical safety requirements that are necessary for the practical safeguarding of employees involved in construction work.

Title 30 CFR Part 57 – Safety and Health Standards — Underground Metal and Nonmetal Mines. Subpart K of this regulation in the Department of Labor contains specific electrical safety requirements for the protection of employees working in underground metal and nonmetal mines.

Title 30 CFR Part 75 – Mandatory Safety and Health Standards — Underground Coal Mines. Subpart F of this regulation in the Department of Labor contains specific electrical safety requirements for the protection of employees working in underground coal mines.

An Internet-based search of the 2003 and 2004 issues of the *Federal Register* found a proposed rule action relating to electrical standards in the April 5, 2004 register. The Occupational Safety and Health Administration in the Department of Labor is proposing to revise the general industry electrical installation standard found in Subpart S of 29 CFR part 1910. The requirements in the revised standard draw heavily from the 2002 edition of the NEC.

Approved for publication in the Wisconsin Administrative Register at Madison, Wisconsin, this date: \_\_\_\_\_

DEPARTMENT OF COMMERCE

\_\_\_\_\_  
Cory L. Nettles, Secretary

Approved for implementation at Madison, Wisconsin, this date: \_\_\_\_\_

DEPARTMENT OF COMMERCE

\_\_\_\_\_  
Cory L. Nettles, Secretary